11-13-06

IN THE UNITED STATES PATENT OFFICE
ALEXANDRIA, VIRGINIA 22313-1450

Application of:	**Billy R. Masten**	§	**Group Art Unit 2877**
Serial Number:	**10/655,711**	§	
Filed:	**09/04/2003**	§	
For:	**Digital Diagnostic Apparatus & Vision Sys. With Related Methods**	§	**Examiner Amanda H. Merlino**

APPLICANT'S CORRECTED RESPONSE TO OFFICIAL ACTION OF 12/29/2005

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir,

Applicant appreciates the thorough search and examination of his application for a patent as reflected by the Official Action of December 29, 2005. However, pursuant to 35 U.S.C. § 132, Applicant persists in his application for a patent and requests reexamination.

The Examiner's observations of claim mis-numbering and of informal objections are most appreciated. These errors are being corrected herewith or argued in the Remarks.

However, Applicant respectfully submits that the substantive rejections are in error for a plurality of reasons. First, the rejection premised on Micka is contrary to law and to fact. That reference fails to disclose essential elements of Applicant's claims–a disclosure that is required for valid rejection under 35 USC § 102. *See In re Bond*, 910 F.2d 831, 832, 15 USPQ2d 1566, 1567 (Fed. Cir. 1990); *Gechter, et. al. v. Davidson, et. al*, 116 F.3d 1454 (Fed. Cir. 1997). For example, Micka fails to disclose claim recitals of a "processor," a "low cost controller," a "memory," an "array," "logic chip," and "spatial segments," etc. Moreover, Micka's teaching is the very opposite of Applicant's invention, *i.e.*, he admits to the use of high cost computer (Col. 8, ln 6) that Applicant avoids. The rejection on Masten is erroneous because that reference discloses the Applicant's own invention and it does not constitute a statutory bar. These and other errors are more fully addressed in this response at p. 9. The claims follow.